1 2 3 4 5 UNITED STATES DISTRICT COURT 6 DISTRICT OF NEVADA 7 * * * 8 UNITED STATES OF AMERICA, 9 2:02-CR-00674-PMP-LRL Plaintiff, 10 v. 11 ORDER CHAO FAN XU, et al., 12 Defendants. 13 14 On January 7, 2008, the Honorable Lawrence R. Leavitt, United States 15 Magistrate Judge entered a Report and Recommendation (Doc. #379) regarding 16 Government's Notice of Foreign Law (Doc. #263) and Defendant Xu Guo Jun's Response 17 (Doc. #272) thereto. 18 On January 29, 2008, Defendant Xu Guo Jun filed Objections to Magistrate 19 Judge Leavitt's Report and Recommendation (Doc. #412), to which the Government 20 Replied (Doc. #429) on February 22, 2008. 21 The Court has conducted a <u>de novo</u> review of the record in this case in 22 accordance with 28 U.S.C.§ 636(b)(1)(B) and Local Rule IB 3-2 and determines that 2.3 Magistrate Judge Leavitt's Report of Findings and Recommendation (Doc. #379) should be 24 Affirmed. 25

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1	IT IS THEREFORE ORDERED that Defendant Xu Guo Jun's Objections to
2	Magistrate Judge Leavitt's Report and Recommendation (Doc. #412) are overruled.
3	IT IS FURTHER ORDERED that Magistrate Judge Lawrence R. Leavitt's,
4	Report and Recommendation (Doc. #379) entered January 7, 2008, is AFFIRMED.
5	IT IS FURTHER ORDERED that in view of the Notice of Foreign Law (Doc.
6	#263) filed by Plaintiff United States, this Court will instruct the trial jury as follows:
7	"You are instructed that fraud, or a scheme or attempt to defraud the Bank of China is a felony
8	under Foreign Chinese Law."
9	DATED: April 10, 2008.
10	Ship M. Onr
11	PHILIP M. PRO
12	United States District Judge
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